Present:
Hon. _____,
Justice

At IAS Part _____ of the Supreme Court of the State of New York, County of New York, at the courthouse thereof, 60 Centre Street, New York, New York, on the _____ day of _____, 200_____

----------X

In the Matter of the Application of

_____,

Petitioner,

for the Appointment of a Guardian for

_____,

An Alleged Incapacitated Person.

----------X

FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER AND JUDGMENT AND SHORT FORM COMMISSION
(To be executed by the County Clerk)

INDEX NO._____

A petition in the above-captioned matter, verified on the __day of _____, 20____ by the petitioner therein named, having been duly presented to this court seeking the appointment of a guardian for the Alleged Incapacitated Person pursuant to the Mental Hygiene Law, and the Court, by Order to Show Cause dated _____, 20____ , having required that notice of presentation of petition be given to the Alleged Incapacitated Person and to_____

_____,

and proof of service on each of the above named persons having been duly filed; and the court having considered the petition and the proof submitted in support thereof, and a hearing having been held on _____, 200____; and upon the evidence presented at the hearing;

Choose the applicable phrase or provision. Delete the phrase or provision that does not apply.

JURISDICTION AND SERVICE

In this guardianship proceeding pursuant to Article 81 of the Mental Hygiene Law ("MHL"), the Court, having been satisfied that at the commencement hereof the Alleged Incapacitated Person was a

resident of this State ***or*** nonresident of the State present in the State,

or nonresident of this State, not present in the State, with property in the State (MHL § 81.18),

and having been satisfied that the Alleged Incapacitated Person was served with the order to show cause and petition by personal delivery at least 14 days prior to the return date, and that all other persons required to be served under MHL §81.07 were timely served with the order to show cause and petition, and having appointed a/an

■ Court Evaluator: _____, [Name]

■ Attorney for the Alleged Incapacitated Person: _____, [Name]

HEARING

and having scheduled a hearing for this proceeding, at which time:

■ the Alleged Incapacitated Person appeared personally *or*

■ the Alleged Incapacitated Person was absent [*choose one, delete others*]

▶ because it was determined that he/she was not present in the State. *or*

▶ the Alleged Incapacitated Person appeared by counsel, who waived his/her appearance and entered a consent to the petition and the appointment of a guardian. *or*

▶ the Alleged Incapacitated Person appeared by counsel and a hearing was conducted .*or*

▶ because it was determined by clear and convincing evidence that the Alleged Incapacitated Person was completely unable to participate in the trial or no meaningful participation would result from his/her presence at the trial. [Specify reasons]: _____

_____

FINDINGS OF FACT

NEED FOR GUARDIAN

It has been established that the Alleged Incapacitated Person has the following functional limitations:

■ Physical (Specify): _____

■ Mental (Specify): _____

and as a result is in need of a guardian to provide for

■ personal needs, including [***choose all that apply, delete others***]

▶ food ▶ clothing ▶ shelter ▶ health care ▶ safety ▶ activities of daily living

▶ other_____)

■ financial and property management, including [***choose all that apply, delete others***]

▶ collection of income ▶ payment of bills ▶ protection and investment of assets

▶ other_____)

It has been established

■ that no other available resources exist ***or***

■ that other available resources appear to exist [***choose all that apply, delete others***]

▶ Power of Attorney ▶ Health Care Proxy ▶ Volunteer Service from Community Organization ▶ Other [Specify]: _____

but are insufficient, unreliable, or invalid because [***choose all that apply, delete others***]

- - the Power of Attorney or Health Care Proxy were improperly given, ***or***

- - the Attorney in Fact or Health Care Agent have violated their fiduciary duties ***or***

- - the Power of Attorney fails to contain powers sufficient to meet current needs ***or***

- - the volunteers are not sufficiently skilled ***or***

- - Other [Specify]: _____

It has been established that the powers herein granted are necessary to provide for the needs of the Alleged Incapacitated Person and that without the grant of these powers such needs would not be met.

DURATION OF GUARDIANSHIP

It has been established that the guardianship of the person is required for

■ an indefinite duration ***or***

■ a period of [specify time] _____

the guardianship of the property is required for

■ an indefinite duration ***or***

■ a period of [specify time] _____

CONSENT-INCAPACITY

As to the appointment of a guardian:

■ It is made upon the consent of the Alleged Incapacitated Person; ***or***

■It has been established by clear and convincing evidence upon the documentary proof and testimony presented that the Alleged Incapacitated Person lacks understanding and appreciation of the nature and consequences of the functional limitations set forth above and it is likely that the Alleged Incapacitated Person will suffer harm because of these functional limitations and the inability to understand adequately and appreciate the nature and consequences of such limitations.

GUARDIAN

It has been established that_____

_____

is/are eligible for appointment as a Guardian/co-Guardian under MHL § 81.19 and is/are best suited to exercise the powers necessary to assist the Alleged Incapacitated Person, because:

■ of the family or other relationship [specify: _____] of said person(s) with the Alleged Incapacitated Person ***and/or***,

■ of the nomination by the Alleged Incapacitated Person ***and/or***,

■ of education and experience ***and/or***,

■ said person(s) is/are the best choice among others proposed ***and/or***,

■ no one was proposed and the Court had to choose from the Fiduciary List ***or***,

■ the person is a non-profit organization not on the list but expert in this field ***or***,

■ Other [Specify]: _____.

PROPERTY OF ALLEGED INCAPACITATED PERSON

It has been established that the approximate total value of the Alleged Incapacitated Person's assets (excluding real property) is $ _____, and his/her total monthly income is $_____.

CONCLUSIONS OF LAW

The Court has jurisdiction in this proceeding as to subject matter and person. The Alleged Incapacitated

Person,_____, residing at
Name

_____

_____

Address City State Zip Phone

is a person in need of the appointment of a guardian.

As set forth above, the Alleged Incapacitated Person has consented to the appointment of a Guardian ***or*** has been found to be an incapacitated person in accordance with MHL § 81.02.

The powers granted in this judgment are the least restrictive means of intervention consistent with the Alleged Incapacitated Person's functional limitations.

ORDER AND JUDGMENT

GUARDIANS

IT IS HEREBY ORDERED AND ADJUDGED that, for the period(s) set forth above, the following is/are appointed:

Guardian of the Property: _____
Name

_____

_____

Address Phone

Guardian of the Person: _____
Name

_____

_____

Address Phone

Co-Guardian of the Property: _____
Name

_____

_____

Address Phone

Co-Guardian of the Person: _____
Name

_____

_____

Address Phone

ORDERED AND ADJUDGED that the Guardian and Co-Guardian (if any) of the Property shall

■ serve without bond ***or***

■ file a bond in the amount of $_____.

ORDERED AND ADJUDGED that the said Guardian(s)/Co-Guardian(s) shall file with the Clerk of this Court, within fifteen days of the date hereof, a designation of the Clerk for service of process, in the form attached hereto, and a bond, if required, and, upon the filing thereof, the Clerk of this Court shall execute and issue a commission, in the form attached hereto, and this commission shall constitute the sole warrant of the Guardian(s)/Co-Guardian(s) to act;

ORDERED AND ADJUDGED, that, within ten days from the date hereof, the attorney for the petitioner shall serve by first class mail a copy of this document, the petition, other pertinent pleadings, and the Court Evaluator's report, if any, on the Guardian(s)/Co-Guardian(s) herein appointed and on the designated Court Examiner and affidavits of service shall be filed within five days after service with the New York County Clerk, and a copy of the commission shall be served by the attorney on the Court Examiner promptly after its issuance; further, the attorney for the petitioner shall assist the Guardian(s)/Co-Guardian(s) with the preparation of the commission, the oath and designation and the obtaining of the bond, if required, and shall assist the Guardian(s)/Co-Guardian(s) in obtaining the certified and executed commission from the Clerk of the Court;

IF THE COURT FOUND THAT A POWER OF ATTORNEY OR HEALTH CARE PROXY WAS IMPROPERLY GIVEN OR THE AGENTS HAD VIOLATED THEIR FIDUCIARY DUTIES, the following shall be completed with the requested information and marked accordingly. Otherwise, the following shall be left blank and mark "Y" below, indicating that the entire box does not apply.

ORDERED AND ADJUDGED that the following is/are revoked:

the Power of Attorney, executed on _____, appointing _____ as
Date Name
Attorney-in-Fact.

the Health Care Proxy, executed on _____, appointing _____
Date Name
Health Care Agent.

[ ] This entire box does not apply.

DUTIES OF GUARDIAN(S) GENERALLY

ORDERED AND ADJUDGED, that pursuant to MHL § 81.20, the Guardian(s)/Co-Guardian(s) shall:

1. Exercise only those powers that the guardian is authorized to exercise by Court Order;
2. Exercise the utmost care and diligence when acting on behalf of the incapacitated person;
3. Exhibit the utmost degree of trust, loyalty and fidelity in relation to the incapacitated person;
4. File initial and annual reports in accordance with Sections 81.30 and 81.31 of the Mental Hygiene Law;
5. Visit the incapacitated person not less than four times a year or more frequently if so specified by the court;
6. If given authority with respect to property management for the incapacitated person, shall:

   (i) Afford the incapacitated person the greatest amount of independence and self-determination with respect to property management in light of that person's functional level, understanding and appreciation of his/her functional limitations and personal wishes, preferences and desires with regard to managing the activities of daily living;

   (ii) Preserve, protect and account for such property and financial resources faithfully;

   (iii) Determine whether the incapacitated person has executed a will, determine the location of any will, and the appropriate persons to be notified in the event of the death of the incapacitated person, and in the event of the incapacitated person's death, notify those persons;

   (iv) Use the property and financial resources and income available therefrom to maintain and support the incapacitated person, and to make application to this Court to maintain and support those persons dependent upon the incapacitated person;

   (v) At the termination of the appointment, deliver such property to the persons legally entitled to it, pursuant to Court Order;

   (vi) File with the recording officer of the county wherein the incapacitated person is possessed of real property an acknowledged statement to be recorded and indexed under the name of the incapacitated person identifying the real property possessed by the incapacitated person, and the tax map numbers of the property, and stating the date of adjudication of incapacity of the person regarding property management, and the name, address, and telephone number of the guardian and the guardian's surety;

   (vii) Perform all other duties required by law.
7. A Guardian who is given authority relating to the personal needs of the incapacitated person shall afford the incapacitated person the greatest amount of independence and self-determination with respect to personal needs in light of that person's functional level, understanding and appreciation of that person's functional limitations, and personal wishes, preferences and desires with regard to managing the activities of daily living.

POWERS OF GUARDIAN OF THE PROPERTY

ORDERED AND ADJUDGED that the Guardian/Co-Guardian of the Property shall have the following powers with regard to the property of the incapacitated person;

1. Marshal his/her income and assets and establish bank, brokerage and other similar accounts in the name of the Guardian and Co-Guardian (if any) for the incapacitated person, and endorse, collect, negotiate and deposit all negotiable instruments drawn to the order of the incapacitated person, including but not limited to government entitlement checks; invest funds with the same authority as a trustee pursuant to New York EPTL §11-2.3; inventory personal belongings, and store or dispose as appropriate; and inventory any safe deposit box in the presence of a representative of the bank and in the presence of the Surety, if any, and the Guardian/Co-guardians shall promptly file an inventory of the contents of the safe deposit box with the Court and await further order as to the disposition of its contents.

2. Pay such bills as may be reasonably necessary for the maintenance and care of the incapacitated person;

3. Make gifts as specifically authorized by the court in advance;

4. Provide support for persons dependent upon him/her as follows:

Name	Address	
	Yes/No	
Relationship	Legal Obligation	Amount of Support

5. Enter into contracts subject to the following conditions: (a) contracts for the sale or purchase of assets (e.g., cars, safety equipment, etc.) and contracts for construction or repairs must be approved by the court; (b) the terms of contracts for the sale of real property must be approved by the court **prior to the closing of title** upon submission of a copy of the fully executed contract and a written appraisal of the value of the property, provided that the property is listed for sale with a New York State licensed real estate broker; and (c) ALL PURCHASES OF REAL ESTATE and COOPERATIVE APARTMENTS shall require PRIOR court approval upon proof of a PROPOSED contract of purchase and a written appraisal of the value of the property;

6. Establish an irrevocable prepaid funeral trust and a personal allowance account in accordance with Medicaid regulations from resources only and not from income.

7. Engage in Medicaid and estate planning, except that court approval is required in advance as provided in MHL § 81.21 (b) of all proposed transfers of a part of the incapacitated person's assets to or for the benefit of another person;

8. Apply for government and private benefits;

9. Prosecute and defend civil proceedings, including administrative proceedings, and settle and compromise all matters related to such proceedings.

10. Sign and file income tax returns and all other tax documents for any and all tax obligations and appear before federal, state and local taxing authorities on all claims, litigation, settlements and other matters related thereto;

11. Authorize access to or release of confidential/medical records;

12. Apply to the court for appointment of an attorney or an accountant, or other professional (e.g. a geriatric care manager, financial adviser), pursuant to Part 36 of the Rules of the Chief Judge. If the request is for the appointment of an attorney or accountant, a name of an individual practitioner should be supplied, not a firm name. A guardian who is an attorney may not serve as his or her own attorney;

13. Pay professional fees upon court approval, subject to the submission of an affidavit of services and pursuant to Parts 36 and 26 of the Rules of the Chief Judge;

14. Pay the funeral expenses of the incapacitated person out of any funds remaining in the guardianship estate at death, to the extent that a prepaid funeral trust, if any, is insufficient to pay for same;

15. Pay such bills after death if incurred prior thereto and if authority to pay same would have otherwise existed;

16. And any other powers which the court in its discretion shall deem appropriate to meet the property management needs of the incapacitated person.

POWERS OF GUARDIAN OF THE PERSON

ORDERED AND ADJUDGED that the Guardian and Co-Guardian (if any) of the Person shall have the following powers with regard to the personal needs of the incapacitated person;

1. Determine who shall provide personal care or assistance for him/her;

2. Make decisions regarding social environment and other social aspects of his/her life;

3. Determine whether he/she should travel;

4. Determine whether he/she should possess a license to drive;

5. Authorize access to or release of confidential/medical records;

6. Make decisions regarding education;

7. Apply for government and private benefits (unless a Guardian of the Property has been so empowered above);

8. Choose the place of abode, upon further order of the Court

   provided that the incapacitated person shall not be placed in a skilled nursing facility or residential care facility, as defined by Public Health Law §2801, without further order of the court.

   including placement or continued placement in a skilled nursing facility or residential care facility, as defined by Public Health Law §2801, provided that no consent shall be given to the voluntary formal or informal admission of the incapacitated person to a mental hygiene facility under MHL Article 9 or 15 or to an alcoholism facility under MHL Article 21.

9. Consent to or refuse generally accepted routine or major medical or dental treatment (including the power to consent to an "Order Not to Resuscitate," as a surrogate, pursuant to Public Health Law §2965 [2][a][I]), provided that treatment decisions are made consistent with the findings of MHL § 81.15 and in accordance with the standards set forth in MHL § 81.22 (a)(8),

10. [Other] _____

_____

_____.

ORDERED AND ADJUDGED that the personal needs guardian appointed herein is hereby designated as the incapacitated person's surrogate for decisions in hospitals as defined by subdivision eighteen of Public Health Law §2994-a (said definition includes nursing homes), subject to Article 29-CC of the Public Health Law, and in all other circumstances, to consent to or refuse generally accepted routine or major medical or dental treatment, subject to the decision-making standard in subdivision four of Public Health Law §2994-d.

COMPENSATION OF GUARDIAN(s)

ORDERED AND ADJUDGED that

■ unless an alternate plan is submitted and approved by court order, the Guardian/Co-Guardian of the Property and Person shall be compensated pursuant to Surrogate's Court Procedure Act [Specify one]

▶ § 2307

▶ § 2309

■ the Guardian/Co-Guardians of the Person shall be compensated pursuant to a plan to be submitted and approved by court order.

ORDERED AND ADJUDGED that the Guardian/Co-Guardians shall take no commissions for any year until that year's annual account is filed, reviewed by the Court Examiner designated by the Appellate Division, and approved by the court.

FILING OF REPORTS BY GUARDIAN(s)

ORDERED AND ADJUDGED, that, pursuant to MHL § 81.30, no later than ninety days after the date on which the commission is issued, the Guardian/Co-Guardian shall file the initial report, in the form prescribed by the court, with proof of completion, if required, of the Guardian's education requirements, with the Guardianship and Fiduciary Support Office, located at New York County Supreme Court, 60 Centre

Street, Room 158, New York, N.Y. 10007, and shall serve a copy of said initial report upon the designated Court Examiner by regular mail; and, in the event of the Guardian/Co-Guardian's failure to file said report in a timely manner, the Court Examiner shall PROMPTLY serve the Guardian with a demand letter by certified mail, and, upon the Guardian's failure to comply, shall move the court by order to show cause to remove the Guardian.

ORDERED AND ADJUDGED, that no later than the 31st of May of each year, the Guardian(s)/ Co-Guardian(s) shall submit an annual report for the preceding year, in accordance with MHL Section 81.31, to a) all parties entitled to notice identified in the order of appointment in accordance with MHL Section 81.16 (c); b) the assigned Court Examiner; and c) the Guardianship and Fiduciary Support Office of this court located at 60 Centre Street, Room 158, New York, N.Y. 10007.

PAYMENT OF BOND PREMIUM(s)

ORDERED AND ADJUDGED, that, if a bond has been directed herein, the guardian shall pay the bond premium(s) from the funds of the incapacitated person to the surety or its agent within 60 (sixty) days after qualifying, and it is further

ORDERED AND ADJUDGED, that the guardian of the property shall pay the renewal premium(s) from the funds of the incapacitated person to the surety or its agent within 60 (sixty) days after the bond renews, and it is further

ORDERED AND ADJUDGED, that the surety or its agent may bring a motion in this Court to collect unpaid premiums if the guardian of the property fails to pay the bond premiums timely.

DEATH OF INCAPACITATED PERSON

ORDERED AND ADJUDGED, that, upon the event of the death of the Incapacitated Person, the Guardian shall serve the Statement of Death within 20 days, and within 150 days of death shall serve a Statement of Assets, Notice of Claim, and Final Account, and comply with all other provisions as set forth in section 81.44 of the Mental Hygiene Law. If any assets are turned over to the Public Administrator or other legal representative of the deceased incapacitated estate, the guardian shall retain a sufficient reserve for payment of known claims and administrative expenses.

TRANSFER OF ASSETS

ORDERED AND ADJUDGED that no portion of the Guardianship Estate shall be transferred to any person, Court or entity without prior order of the Court.

APPOINTEES - COMPLIANCE WITH STATUTE AND RULES

ORDERED AND ADJUDGED that any appointee shall comply with Section 35-a of the Judiciary Law and Parts 36 and 26 of the Rules of the Chief Judge and no fee shall be paid to such appointee until the appointee has filed the Notice of Appointment and Certification of Compliance (the Unified Court System form (UCS) No. 872) ***and*** the Statement of Approval of Compensation (the Unified Court System form (UCS) No. 875) with the Office of the Fiduciary Clerk (Room 158, 60 Centre Street, New York, New York) and said forms have been approved by the court.

COMPENSATION OF COURT EVALUATOR AND OTHERS

ORDERED AND ADJUDGED that compensation is approved for the following in the following amounts (but, in the cases of the Court Evaluator and the Court-Appointed Attorney, subject to the filing of a Statement of Approval of Compensation form (UCS form 875)):

Court Evaluator: $_____ _____
Amount Name Address

Court-Appointed Attorney: $_____ _____
Amount Name Address

Petitioner's Attorney $_____ _____
Amount Name Address

Expert Witnesses (Specify): $_____ _____
Amount Name Address

Other:_____ $_____ _____
Amount Name Address

Compensation to the _____shall be approved in a separate order, upon submission of affidavits of services.

OTHER PROVISIONS

ORDERED AND ADJUDGED that upon appointment of a Guardian for personal needs or property management, prior to judgment, a Notice of Pendency must be filed if real property or interest therein is or may be affected by the proceeding.

ORDERED AND ADJUDGED that the Guardian/Co-Guardians

■ **shall be required**

■ **shall not be required**

to complete a training program, as mandated by MHL § 81.39, no later than ninety days after issuance of the commission and obtain proof that the training was completed.

ORDERED AND ADJUDGED that the Guardian/Co-Guardian shall fully cooperate with the Court Examiner designated by the Appellate Division to examine the condition, care and finances of the incapacitated person, and this court has been advised that the designated Court Examiner is

_____

Name Address

_____

Phone Fax Email

and that, in the event that there is a change of Court Examiner, the name of any designated successor Court Examiner shall be obtainable through the Guardianship and Fiduciary Support Office, 60 Centre Street, Room 158, New York, N.Y. 10007, telephone number 646-386-3328.

ORDERED AND ADJUDGED that for the purposes of Section 9-l of the Banking Law and for the purposes of Section 238 of the Banking Law, this Order shall be deemed a declaration of incompetence and no banking institution or savings bank shall impose any penalty for the repayment of a time deposit prior to maturity.

ORDERED AND ADJUDGED that the Guardian/Co-guardians may not alienate, mortgage, lease or otherwise dispose of real property without special direction of the Court obtained upon proceedings taken for that purpose as prescribed in Article 17 of the Real Property Actions and Proceedings Law, provided, however, that without instituting such proceedings, the Guardian/Co-guardians may, with the authorization of the Court, lease real property for a term not exceeding five years and may, without further authorization of the Court, lease a primary residence for the incapacitated person for a term not to exceed three years.

ORDERED AND ADJUDGED, that in the event that the New York City Medical Assistance Program expends funds under the Medicaid program for the incapacitated person's care and treatment, the guardian shall repay the Medicaid Program for any funds so expended to the extent that the income and resources of the incapacitated person are determined to have exceeded the Medicaid eligibility level at the

time such assistance was granted.

ORDERED AND ADJUDGED that all persons are directed and commanded to deliver to the Guardian/Co-guardians, upon demand and presentation of a certified copy of the commission, all property of the incapacitated person, of every kind and nature, which may be in their possession or under their control.

SERVICE

ORDERED AND ADJUDGED that the following shall be served with notice on all further proceedings in this matter:

Incapacitated Person Guardian/Co-Guardian

Mental Hygiene Legal Service Court Examiner

Other **[Specify]** _____

ORDERED AND ADJUDGED that a copy of this document shall be served on the incapacitated person in accordance with MHL § 81.16(e), and, by regular mail, upon all persons who appeared in this proceeding, within 10 days of the date hereof; affidavits of service shall be filed within five (5) days after service with the New York County Clerk.

ENTER:

_____
J.S.C.

No. 2: 06/29/12

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----------X

In the Matter of the Application of

_____,
Petitioner,

for the Appointment of a Guardian for

_____,
An Incapacitated Person,

----------X

Index No.: _____

OATH AND DESIGNATION OF CLERK TO RECEIVE PROCESS

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

I, _____ [Guardian], having been appointed Guardian for the Person and/or Property of _____[IP], by order of Hon. _____, Justice of the Supreme Court, made in this proceeding and entered in the Office of the Clerk of the County of New York on the _____ day of _____, 20__, do depose and say:

I am a resident of the State of New York residing at _____ [Address in full]. I am a citizen of the United States, and over 21 years of age. I hereby state and swear that I will faithfully and honestly discharge my duties as Guardian of _____ [IP], an Incapacitated Person.

Further, I do hereby designate the Clerk of the County of New York, or his/her successor in office, as a person on whom may be made service of any process issuing from said Court in this proceeding or in any other proceeding which shall affect the personal needs and/or property management of said Incapacitated Person, in like manner and with like effect as if it were served personally upon me, whenever I cannot be found and served within the State of New York after diligence is used.

Dated: _____, 20___

_____
[Signature]

_____
[Name of Guardian]

_____
[Address of Guardian]

_____
[City, State]

On this _____ day of _____, 20____,
before me personally appeared the within named
_____ to me known
and known to me to be the individual(s) described in and
who executed the foregoing and acknowledged that he (she)
executed the same.

_____
Notary Public

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
----------X
In the Matter of the Application of

Index No. _____

_____,
Petitioner,

for the Appointment of a Guardian for

_____,
an Incapacitated Person.
----------X

COMMISSION TO GUARDIAN(S)

THE PEOPLE OF THE STATE OF NEW YORK, TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING.

WHEREAS, an Order and Judgment (a copy of which is annexed hereto), dated _____ _____, was issued and filed in the matter captioned above appointing the following person(s) as Guardian(s) of the incapacitated person named above:

_____

_____

and (1) a bond having been filed or waived; and (2) a designation of the Clerk to accept service of process upon each such Guardian(s) above appointed having been filed on _____, 20_____.

NOW, THEREFORE, KNOW YE THAT WE HAVE GRANTED, GIVEN AND COMMITTED, AND DO GIVE, GRANT AND COMMIT UNTO THE ABOVE-NAMED GUARDIAN(S) THE POWERS SET FORTH ABOVE.

By the Court this _____ day of

_____, 20____

_____
Clerk of the County of New York